



California Sportfishing Protection Alliance

"An Advocate for Fisheries, Habitat and Water Quality"

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20 August 2006

Mr. Robert Schneider, Chairman
Ms. Pamela Creedon, Executive Officer
Mr. Jack DelConte
Ms. Wendy Wyels
Mr. Scott Kranhold
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670-6144

VIA: Electronic Submission
Hardcopy if Requested

RE: Waste Discharge Requirements For Kautz Vineyards, Inc., Ironstone Vineyards, Inc., Calaveras County

Dear Messrs Schneider, DelConte, Kranhold and Mesdames Creedon, Wyles:

The California Sportfishing Protection Alliance, Watershed Enforcers and San Joaquin Audubon (hereinafter "CSPA") has reviewed the Central Valley Regional Water Quality Control Board's (hereinafter "Regional Board") tentative Waste Discharge Requirements (hereinafter "Order" or "Permit") for the Kautz Vineyards, Inc., Ironstone Vineyards, Inc. (hereinafter "Discharger") and submits the following comments.

1. Finding No. 18 states, "Although WDRs Order No. 5-01-063 allows a monthly average discharge of 146,000 gpd, process wastewater flows are significantly lower. Due to the fact that the winery made improvements (i.e., covered the winery production and process areas) to eliminate stormwater from entering the wastewater treatment and disposal system and made changes in the way winery equipment was cleaned the winery equipment, wastewater flows have been reduced. Based on flow monitoring data for 2004, the monthly average wastewater flows generated at the winery range from approximately 7,300 gpd during low productions periods to approximately 17,700 gpd during periods of peak production or the crush. Peak daily flows during crush were approximately 48,000 gpd. The Discharger's RWD states that it intends to maintain the level of production to that what was produced in 2004 for at least the next five years, and that wastewater flows should not increase. In the event that the winery expands production, the Discharger will submit a new RWD."

Finding No. 30 states, "The Discharger's RWD provided an evaluation of winter storage requirements for the treated effluent generated from the winery. The Discharger took into account the daily wastewater flows that would be generated at the winery for the months of December through February (flow range from 1,500 to 15,000 gallons

gpd), and compiled and counted rainfall events for the wettest months of the year, including December, January, and February from 1989 through 2004. Results of the evaluation indicate that the winery will need at least four days of storage during an average rainfall year, and between seven and fifteen days of storage during a greater than average rainfall year. The Discharger proposes to install a 144,000-gallon storage tank, which should provide between ten and fifteen days of storage. Additionally, the winery may cease operation if the storage tank becomes full and wastewater is unable to be applied to the land application areas. Staff is concerned that the winery will not have sufficient winter storage capacity, especially during prolonged rain events and potential saturated conditions in the land application areas. Therefore, this Order requires the Discharger to submit a Contingency Plan describing how wastewater will be managed to maintain two feet of freeboard in the storage tank when irrigation of wastewater cannot be performed.”

The tentative Order contains a flow limitation of 18,000 gpd, which is based on winery production rates and not the treatment capacity of the wastewater treatment, storage and disposal system. The tentative Order must contain a flow limitation that is based on the engineered average dry weather design flow rate for the treatment, storage and disposal system. The Discharger’s storage and disposal capacity is deficient for the current production flow rate during the wet season period. In addition, it is inappropriate to allow a wastewater system to be improperly designed and then simply to request a Contingency Plan from the Discharger in order to comply with the effluent flow limitation. Staff must require that the Discharger either increase the storage and disposal capacity for the facility or reduce the daily flow rate.

2. Finding No. 32 states, “Information presented in the RWD indicates that the proposed process winery wastewater treatment system will remove 80 percent of the BOD and total suspended solids, and 50 percent of the total nitrogen present in winery process wastewater. The RWD did not provide proposed effluent quality concentrations. Therefore, staff have established effluent limitation based on previous effluent quality data, proposed performance standards of the new wastewater treatment system, and protection of groundwater quality.”

The actual removal rates for BOD and TSS that are achievable with this particular wastewater treatment system far exceed the 80 percent cited by staff. Secondary treatment systems can be reliably operated with an 85 percent removal rate. A properly designed, operated and maintained wastewater treatment system that employs primary clarifier, trickling filter, a constructed wetlands and sand filtration system, described in the tentative Order, is capable of achieving removal rates that are similar to tertiary treatment. If higher removal rates were not possible, the drip irrigation system would become fouled and plugged in short order even with the proposed mixing of irrigation. The effluent limitation for BOD and TSS must be revised to be reflective of a technology base limitation.

3. Finding No. 60 states, “The action to update WDRs for this existing facility is exempt from the provisions of the CEQA, in accordance Title 14, California Code of

Regulations (CCR), Section 15301.” This Finding is not correct. The treatment facility is being significantly upgraded and modified and is in fact a new treatment facility employing constructed wetlands and filtrations (see provision 2a). The disposal area is also being changed. The Discharger, in response to requirements from the Regional Board, is building a new wastewater facility. This project must comply with CEQA. In this case, the Regional Board is the lead agency. Please provide the CEQA documentation for the new facility.

Thank you for considering these comments. If you have questions or require clarification, please don't hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Jennings". The signature is fluid and cursive, with the first name "Bill" and last name "Jennings" clearly distinguishable.

Bill Jennings, Executive Director
California Sportfishing Protection Alliance